

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHEIKO WAGATSUMA,

USDC SDNY  
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DATE FILED: 3/1/2017

Plaintiff,

-against-

No. 15 Civ. 489 (CM) (GWG)

SEI TOMOKO, INC., et al.,

Defendants.

x

**DECISION ON DEFENDANTS' FIRST MOTION IN LIMINE**

McMahon, C.J.:

Defendants move to exclude Plaintiff's Exhibit 1, a Verification of Crime/Lost Property with Incident Information Slip that purports to memorialize a report of forcible touching to the New York Police Department, on the grounds that it contains a hearsay statement attributed to Plaintiff. Defendants concede that the report itself is a public record under Fed. R. Evid. 1005.

The report is admissible as a public record under Fed. R. Evid. 803(8); however, it contains hearsay to which there is no applicable exception. Plaintiff may introduce a redacted version of Exhibit 1 that excises the hearsay statement.

The Clerk of the Court is directed to remove the motion at Docket No. 48 from the Court's list of open motions.

Dated: March 1, 2017



Chief Judge

BY ECF TO ALL COUNSEL